

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

TREXEL, INC.

Plaintiff,

v.

MASTER INDUSTRIES, INC.

Defendant.

Civil Action No.: 05-11599 RCL

STIPULATED
DISMISSAL

The Court, having been advised that the parties have resolved their claims in this Action and have entered into a Settlement Agreement, it is hereby ORDERED that this action, and all claims and counterclaims therein, are dismissed with prejudice as to infringement which occurred prior to the Effective Date of the Settlement Agreement, and without prejudice as to any infringement which occurs subsequent to the Effective Date of the Settlement Agreement. Each party is to bear its own costs, expenses and attorneys fees. This Court shall retain jurisdiction for the purposes of enforcement of the Settlement Agreement.

IT IS SO ORDERED.

Date

United States District Judge

/s/ James J. Foster
Attorneys for Plaintiff

/s/ William A. Scofield, Jr.
Attorneys for Defendant

Michael A. Albert, BBO # 558566
James J. Foster, BBO # 553285
Adam J. Kessel, BBO # 661211
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, MA 02210
Tel: (617) 646-8000
Fax: (617) 646-8646

William A. Scofield, Jr., BBO # 448940
LAHIVE & COCKFIELD, LLC
28 State Street
Boston, MA 02109
Tel: (617) 227-7400

David E. Schmit, Esq.
Edwin R. Acheson, Jr., Esq.
FROST BROWN TODD LLC
201 East Fifth Street
220 PNC Center
Cincinnati, OH 45202
Tel. (513) 651-6800

CERTIFICATE OF SERVICE

I certify that this document is being filed through the Court's electronic filing system, which serves counsel for other parties who are registered participants as identified on the Notice of Electronic Filing (NEF). Any counsel for other parties who are not registered participants are being served by first class mail on the date of electronic filing.

/s/ James J. Foster